S.B. Criminal Misc. Bail Application No.2580/2006
Date : 04.07.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. H.M. Saraswat for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor.
Mr. Sanjeet Purohit for complainant.

By this application under Section 439 Cr.P.C., the applicant has sought bail in FIR No.82/2006, Police Station Sujangarh, District Churu for the offence under Sections 392, 504, and 327 IPC.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State assisted by learned counsel for the complainant and carefully gone through the case diary and the impugned order.

The contention of learned counsel for the applicant is that in this case accused-applicant has been arrested and in since last one month he is in custody. He further submits that allegation against the accused-applicant is that he took purse of the complainant containing Rs.2800/- and that has been recovered from the applicant. He further contends that no investigation is required to be made from him, therefore, looking to the punishment of the offence committed, he may be enlarged on bail.

On the other hand, learned Public Prosecutor assisted by learned counsel for the complainant has opposed the bail application

and submitted that accused is a hystercitor and number of cases are pending against him. On specific query put to learned Public Prosecutor as to whether any conviction has been recorded against the accused-applicant which is said to have been pending, he reply in negative.

Taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicant shall be released on bail in FIR No.82/2006 P.S. Sujangarh, provided he executes a personal bond in the sum of Rs.50,000/- with two sound and solvent sureties in the sum of Rs.25,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial and also satisfy following conditions :

(1)that he shall furnish an undertaking that no such offence shall be repeated by him subsequently and be of good behaviour and keep peace.

(SATYA PRAKASH PATHAK), J.